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(S)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/633,297 08/03/00 LEVY

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007663 MMC2/0118  
STETINA BRUNDA GARRED & BRUCKER  
75 ENTERPRISE, SUITE 250  
ALISO VIEJO CA 92656

EXAMINER

JONES, J

ART UNIT	PAPER NUMBER
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2812

5

DATE MAILED:  
01/18/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

09/633,297

Applicant(s)

LEVY ET AL.

Examiner

Josetta I. Jones

Art Unit

2812

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: .

## DETAILED ACTION

### *Reissue Applications*

The reissue oath/declaration filed with this application is defective because it fails to identify at least one error which is relied upon to support the reissue application. See 37 CFR 1.175(a)(1) and MPEP § 1414. The applicant must specify an error that supports reissuance of the patent such as, in this instance, the failure to claim the chip stack.

Claims 1-9 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175.

Claims 7-9 are rejected under 35 U.S.C. 251 as being improperly broadened in a reissue application made and sworn to by the assignee and not the patentee. A claim is broader in scope than the original claims if it contains within its scope any conceivable product or process which would have infringed the original patent. A claim is broadened if it is broader in any one respect even though it may be narrower in other respects. Specifically, the addition of the "chip stack device" claims to the original "method of making a chip stack" claims broadens the scope of the original patent.

Claims 1-9 are rejected based on a defective reissue declaration under 35 U.S.C. 251 because it does not identify all of the patentees by name nor does it provide their residence, post office address and citizenship as required by 37 C.F.R. 1.63. All inventors are required to complete a new reissue declaration.

The nature of the defect(s) in the declaration is set forth in the discussion above in this Office action.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, on page 2, lines 2, 5, 7, 10, 15, the word "ones" is indefinite.

### ***Allowable Subject Matter***

Claims 1-6 contain allowable subject matter.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to disclose a plurality of panels scored along a plurality of spaced-apart, parallel score lines that are perpendicular to the elongated slots in said remaining ones of the plurality of panels, and the step of separating the individual chip package stacks includes the steps of cutting through the panel stack along a plurality of spaced apart, parallel lines which are perpendicular to the score lines, to form a plurality of strips of the chip package stacks, and within each strip breaking the strip along

the score lines of a portion of said one of the plurality of panels within the strip to separate the individual chip package stacks from the strip.

Claims 7-9 contain allowable subject matter.

The following is a statement of reasons for the indication of allowable subject matter: the leads of one of the packaged chips being electrically connected to the respective ones of the conductive pads of the first and second rows disposed on the upper surface of the frame, with the leads of one of the packaged chips being electrically connected to respective ones of the conductive pads of the third and fourth rows disposed on the lower surface of the frame.

After the aforementioned rejections are overcome, then claims 1-9 would be allowable.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Burns, U.S. Patent No. 5,978,227; Burns, U.S. Patent No. 5,541,812; Michii et al., U.S. Patent No. Re. 35,077; Eide, U.S. Patent No. 6,028,352; Burns, U.S. Patent No. 5,960,539; Eide, U.S. Patent No. 4,956,694; Eide, U.S. Patent No. 5,313,096; Beilstein, Jr. et al., U.S. Patent No. 5,466,634; Eide et al., U.S. Patent No. 5,612,570; Ookata, Japanese Patent No. 56-88324; Ghandhi, Sorab K., VLSI Fabrication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Josetta I. Jones whose telephone number is

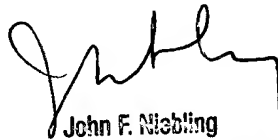
703-308-5871. The examiner can normally be reached on M-Th 8-5:30 and alt.  
Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the  
examiner's supervisor, John F. Niebling can be reached on 703-308-3325. The  
fax phone numbers for the organization where this application or proceeding is  
assigned are 703-305-3432 for regular communications and 703-305-3432 for  
After Final communications.

Any inquiry of a general nature or relating to the status of this application  
or proceeding should be directed to the receptionist whose telephone number is  
703-308-0956.



Josetta I. Jones  
January 10, 2001



John F. Niebling  
Supervisory Patent Examiner  
Technology Center 2600